

## THE EAST GERMAN PRISON SYSTEM

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When the Russian troops marched into Germany there immediately began a wave of mass arrests and kidnapings ordered by the Soviet Secret Police (MVD). The entire territory lived under a veritable reign of terror. The Soviets seized everybody whom they thought might be dangerous. The most baseless denunciation was sufficient for an arrest and almost certainly a long sentence. For instance, in one city a man denounced a certain Otto Schmidt as having been guilty of war crimes. The Russians thereupon arrested every Otto Schmidt in the city and subjected these unfortunates to weeks of brutal questioning in an attempt to find the accused Schmidt.

For the West it is extremely difficult to grasp the fundamentals on which Communist justice is based. In the Marxist-Leninist view, justice, secret police and the military are nothing but the instruments of the proletarian dictatorship. A man is judged by his class and the degree to which he has adapted himself to socialist society. Thus, a Communist takeover of any country by force is followed by a wave of terror in which opponents are liquidated or imprisoned.

This has been explained clearly by M. Latsis, Chief of the Cheka in 1918, who declared:

"We are working for the extirpation of the bourgeoisie as a class. It is not necessary to show that this man or that worked against the interests of Soviet power. When you arrest a man the first thing you have to ask him is to what class he belongs, what his education was and what his profession is. These questions shall decide the fate of the person in question. That is the quintessence of the red terror."

Legality in a Communist state, writes Gerhard Finn in his work The Political Prisoners of the Soviet Zone, is never a question of justice and is only one of brute force expressed in terms of slogans.

In East Germany, the Soviet roundup began in April 1945 when General Besarin, Commandant of Berlin, issued an order that all members of the National Socialist Party, the Gestapo, gendarmerie, prison administrations and all other State offices must report to the local commanders.

In the next few months mass arrests numbering in the thousands followed throughout the entire territory and provisional concentration camps were opened in scores to handle the flood. Regular concentration camps, mostly taken over from the Nazi system, were functioning in the fall of 1945. These were such notorious places as Buchenwald, Sachsenhausen and Jamlitz; however, they proved to be insufficient to take care of the vast number of prisoners. Prisoner of war camps of Neubrandenburg and Muehlberg also were opened in addition to the regular prisons of Torgau and Bautzen. From these places thousands were deported to the Soviet Union to work on labor projects.

In 1949 there were 43 concentration camps and prisons functioning in the Soviet Zone and the total number of prisoners was well over 44,000. Most of the large-scale Communist action was directed against groups who were considered to be "anti-democratic elements." A great many were members of the various political parties which began to reorganize shortly after the war. During 1946 and 1947, the first anti-Communist groups began to make their appearance and tried to work against the SED. However, they were not trained in conspiratorial work and they were thus an easy prey for the agents of the MVD.

The Russians introduced a system known as "chain arrests" which were mostly directed against former members of the German Army. When a man was arrested, he was obliged to give the names of all those with whom he had been associated during the war on the Eastern Front. These were then also rounded up. As a result, whole companies and platoons of veterans were soon in the Soviet Zone camps and prisons. Many were shot or deported to the Soviet Union. The remainder were sentenced to 25 years forced labor. Over the years quite a number were released, but there are undoubtedly still many serving time.

Arrests on purely political grounds began in 1949 when many groups started to work against the Communist regime either politically or through passive resistance to its orders. There was a new wave of mass arrests in which not only those implicated were arrested, but also their friends and relatives on the theory that association proved guilt. The sentences were uniform--25 years hard labor.

#### Prison Organization

The prisons are no longer under the command of the military. Each is now headed by a civilian director who is responsible for the organization of his unit. Under him are a number of deputies. One is the Deputy for Political Work on whom devolves the responsibility for the political indoctrination and training of all those in the installation. Depending on the size

of the unit, he has a number of assistants. These assistants carry on their work among the guard personnel and as far as possible among the inmates, some of whom are recruited to spy on the political views of their fellow prisoners.

The political deputy also is supported by a secretary of the SED and by a secretary of the Free German Youth group. In the bigger installations these two secretaries also have deputies who maintain the closest possible contact with the guard and warden personnel.

The Director also has a General Deputy who is responsible for the technical education and training of the wardens. He may represent the Director in all matters and oversees the use made of the operative staff that is responsible for the physical security of the installation. The Production Department regulates the work done by the prisoners.

#### Surveillance Apparatus

This entire system is under the over-all surveillance of the Ministry of State Security. The Ministry maintains in every prison or camp a number of its own officers who are responsible for watching the conduct of the members of the People's Police and the political orientation of the prisoners through a system of stool pigeons.

The Ministry attempts to recruit the services of those prisoners who are about to be released through various types of pressures or inducements. Those who agree to work for the Ministry are rewarded with good living quarters and a job when they leave prison.

This approach does not appear to have been too successful, however, since most of the prisoners agree to work for the Ministry only out of fear that if they refuse their sentences might be prolonged. Once on the outside, their collaboration has proved to be of little value.

#### Arrest and Kidnapping Techniques

Arrests on political grounds are usually carried out by the Ministry of State Security. To avoid publicity, such arrests are carried out as unostentatiously as possible. When the danger exists that a suspect might be tipped off to the fate awaiting him and might flee, he is arrested at home or at his place of work, but this is seldom done since it attracts attention. The favorite method is the arrest on the open street. The victim is usually arrested on his way to work or on a visit to a public building to which he has been summoned

on some pretext. On being apprehended, he is quickly pushed into a waiting police car and driven to a quiet street where he is forced to don a pair of dark glasses. Then, by a round-about way he is driven to the Ministry office. The arrest on the street and the suspect's sudden "disappearance" is done to prevent others from being alerted, since it is the Ministry's contention that suspects seldom work alone.

As a result of this system, the People's Police will learn only later of the arrest since they are not trusted by the Ministry. Thus, it is usually true when the People's Police tell desperate relatives that they do not know where the victim is or if he has been arrested. Even the State Prosecutor's office is only told later of the arrest whereupon a pro forma warrant is sworn out and handed to the suspect for signature.

While the relatives of the arrested person find themselves faced by a wall of silence, the suspect is caught in the grip of the inhuman machinery of the Communist gestapo. He is completely isolated from the outside world and is physically and psychologically maltreated. This process is known as "softening up" in Ministry jargon. The State's role is a relatively easy one since it does not have to prove the suspect's guilt. It is up to him to prove himself innocent.

#### Kidnapping

Because it is harder for the Ministry to get their hands on a man when he does not live in the Soviet Zone, they frequently spend months making the most careful plans for a kidnapping in West Berlin or on the territory of the Federal Republic. Agents are ordered to report on the smallest details they can find out about the victim's way of life--who his friends are, where he eats, his amusements and his routine movements about the city where he lives.

Two methods are used to get hold of a person, trickery or force. Trickery is the favorite method since this is apt to arouse little notice. Various excuses are tried to get him to make a visit to East Berlin--he receives a message from a "friend" who is allegedly in great trouble and must see him at once, or he receives a telegram saying that a close friend or relative is gravely ill and must see him.

Kidnapping by force is used when the Ministry is confident that trickery will not work or if they believe the victim might be forewarned. In this type of kidnapping the victim is frequently induced to have a drink with some chance acquaintance and this usually turns out to have been drugged. He is then quietly whisked away by some convenient method of transportation into the Soviet Zone.

When none of these methods can be made to work, the Ministry resorts to open, forceful kidnaping. This calls for a complete knowledge of the victim's habits and very careful planning since the risk of exposure is great. Here, accomplices are of no use and there must be recruited an arrest "commando" of four or five men who will attack the victim on the street, throw him into an automobile and then drive in wild flight towards the East zone. All persons who are kidnaped in West Berlin or in the Federal Republic are taken to Investigation Headquarters of the Ministry at Berlin-Lichtenberg.

#### Investigative Arrest

After his arrest, the victim is under the authority of Department IX of the District Administration of the Ministry of State Security. On arrival, he is forced to undress and his clothes are very carefully examined. He is completely cut off from contact with the outside world and can receive no news from his relatives. Whenever he is taken from his cell for questioning, the guard rings a bell and all the corridors are immediately cleared so that none of the other prisoners may learn the victim's identity. The prisoner is not allowed to shave and at night he must sleep with his face turned towards the door and his hands outside the covers. A light burns all night in the cell.

If the victim shows signs of being obdurate, pressure is turned on to "soften" him up. The prisons have special installations for this purpose and the guards have been given special training in their use. The most simple one is the water or "ice" cell. This is a completely bare cell whose floor is covered to a depth of several inches with ice cold water, in which the prisoner must either stand or sit. Usually, he is left in this cell until he has agreed to sign a confession. Another method is the sweat box. This is a tiny, super-heated cubicle in which the prisoner can neither sit nor stand upright. He is given very salty food to eat and is then shut in the box which is brought to tropical heat.

#### Grounds for Arrest

The grounds for arrest in the East German Republic were formulated in such a manner that virtually any act may be interpreted as being "anti-State" in one form or another. The list is headed by treason and contact with any counter-revolutionary group. Espionage is divided into military and economic types. A man also may be arrested for acts of "terror" against members of the Soviet Army or for carrying on any kind of anti-State propaganda or agitation.

Any chance remark of criticism of the Pankow regime or the Soviet Union can be construed as anti-State propaganda. Another heading is "actively working against the working classes." This, again, can be construed to mean anything the authorities may want it to mean. A man also may be arrested for not having reported any knowledge he might have of counter-revolutionary activities. In effect, no man is safe from arrest if the State wants to deprive him of his liberty.

East Germany Takes Over

The administration of the prisons and the judicial system of the Soviet Zone were turned over to the East Germans in 1950. However, this did not mean that the Soviets no longer took an interest in the continuance of arrests. To the contrary, the arrests and the "trials" continued since the Russians insisted on handling everything that came under the conveniently broad heading of "espionage of all kinds" and "formation of illegal groups." The Soviets played a considerable role in the thousands of trials which followed the 1953 revolution, but they tried to stay out of the picture after the declaration of the "sovereignty" of the East German Republic.

Thousands in Jail

The main body of political prisoners in 1950 was composed of those who had run afoul of the Russians. Nearly all of them had been sentenced to terms of 25 years forced labor on one of the above-mentioned charges.

However, this system of wholesale arrests by the hundreds failed to create a climate in which the Communist Party could hope to make many recruits and Pankow realized that something had to be done. Thus, in 1954 they got the Russians to agree to an amnesty which resulted in the freeing of 6,143. On October 19, 1954, the Soviet High Commissioner informed the Minister of Justice of East Germany that henceforth all prisoners on the Republic's territory who had been sentenced by the Soviets would be considered as being under the jurisdiction of the Republic. The German authorities thereupon reviewed all Soviet sentences, most of which had been maximum terms, and reduced them to shorter ones. In the summer of 1955 there was yet another amnesty and for the first time the political prisoners were told how much longer they had to serve. In December 1955 and January 1956 a further group of nearly 3,000 was released.

Evidence Destroyed

The Soviet authorities, however, had taken away with them whole truck loads of papers and documents pertaining to the

arrest and trial of thousands of prisoners who were, consequently, held in jail without any documentary evidence.

To create some semblance of a system, 3,400 of these prisoners were brought from various Soviet installations to Waldheim, Saxony, where new evidence was manufactured against them. So-called courts were set up which processed 120 people a day. The order was given to "get as much information as possible" from the prisoners since in most cases all that was available was a paper saying the person in question had been arrested by the MVD. To obtain more material, the prisoners were handed long questionnaires which they had to complete in addition to giving a detailed account of their careers and life story.

In drawing up the new charges based on this material, the authorities were ordered to be careful to include everything they could find that would be detrimental to the cause of the prisoner. The finished case, the order said, should be of such a nature that any court would automatically hand down the highest possible sentence.

#### Communist Trials

These "trials" began on April 21, 1950, and in order to handle them, 21 special courts were set up in the Chemnitz judicial area. Ten cases were heard each day in each court and a maximum hearing time of one hour was allotted. Some, however, only lasted 15 to 20 minutes despite the fact that sentences of up to 15 years in the penitentiary were handed out. The hearings naturally were not public and the accused were only told the preceding day that their trial was coming up.

The trials were conducted in the following manner. After the president of the tribunal had opened the proceedings with a brief address, the prosecutor read the accusation and the court heard his evidence. Thereupon the prosecutor made his plea. After that, the prisoner was allowed to say a few words if he wished. The courtroom was then cleared and the judges held their "consultation." This was a complete farce since the verdict had already been drafted the day before and the only element still open to question was the length of the prison term.

The prisoner was then called back and the presiding judge gave a short explanation for the sentence. The accused was told that his sentence was to count from the day the People's Police had taken over the administration from the Russians. He also was told that he could appeal, not against.

the facts, but only against the form of judicial procedure.

Thirty-two were sentenced to death, although six of them were finally reprieved. The executions took place in the night of 3-4 November 1950, in the most primitive manner in a cellar of the Waldheim Prison. The condemned man was made to stand on a chair while the rope was tied around his neck. The chair was then pulled away. The victim's eyes were not blindfolded so that he was able to see the corpses of those who had been executed before him lying in a corner of the room.

#### Property Confiscated

Most of the sentences handed out were accompanied by the confiscation of the prisoner's property. As a rule this addendum to the sentence was superfluous because the seizure of the victim's furniture and apartment had usually been made a few days after his arrest. In many cases the prisoner's wife was arrested and kept in prison for a few weeks. When she was released she returned home only to find it occupied by Party faithful.

As a relative of "an enemy of the State" any attempt at redress was out of the question. Relatives usually were so terrified at what had happened that they dared not take any official steps.

#### Political Trials After 1950

Until 1955 most of the political trials were "group" trials. The first "enemies" against which the Pankow regime took action were the Jehovah's Witnesses, thousands of whom were arrested in late 1950. The pretext for action against them was a meeting the organization held in West Berlin to protest against measures that had been announced preventing them from exercising their faith. In accordance with a verdict of October 4, 1950, the activities of the leaders of the Witnesses were qualified as "war-mongering" in accordance with Article 6 of the Constitution. This meant that the sect could no longer practice its faith. In the prisons members of the Witnesses were held apart from other prisoners. According to fellow prisoners, they were examples of courage in their resistance to the persecutions of their guards.

The juridical system of the Soviet Zone was only intended to be a tool to further the political aims of the SED. For this purpose there were a number of show trials against the Youth Community, a church group, against the Hotel and Inn Keepers of the Baltic Coast, etc. These groups could only hope

that the Party's policy might happen to be a mild one at the time the trial came up. But this was seldom the case since as a rule these trials were held at a time when the Party, for political reasons, was waging a propaganda campaign against the accused or his group.

The trials were not only directed against the lowly. Many high officials also had to stand trial. For instance, Minister for Trade and Welfare Karl Hamann got 10 years; Minister of the Interior Georg Dertinger, 15 years; State Secretary Dr. Helmut Brand, 10 years; Central Committee member Paul Merker, seven years; and professor of Sociology at Humboldt University Wolfgang Harich, 10 years on a variety of trumped-up anti-State charges.

#### The Prisons

Today, the entire penal system of the East Zone is controlled by the People's Police. Most of the guards and wardens have had experience in Nazi concentration camps and were thus considered "specialists." Earlier, treatment in the prisons was brutal in the extreme with daily gauntlet-running and beatings. However, since the 1953 uprising there has been some improvement.

The demonstrators of the 17 June uprising as well as those of Posen and Hungary tried to storm the prisons and free the prisoners. However, they were successful only at Goerlitz and at some of the smaller prisons. Nevertheless, June 17 was a day of success for the political prisoners throughout the Soviet Zone. With few exceptions, the guard personnel underwent a change in attitude towards their wards. Those who had previously spent their time beating the prisoners suddenly refrained and quite a few were even polite in addressing the prisoners. In some cases the guards attempted to get character references to the effect that they had always done their job "with decency."

However, the uprisings caused the authorities to re-examine the physical security of their installations. As a result, machinegun emplacements were built in front of the prisons and existing watchtowers were reinforced. In many cases emplacements were built on the roofs of the prisons in case of another attack from the outside.

#### The Prisoner's Life in Jail

No distinction is made in the jails between political and criminal prisoners. The hair of both is cut very short. They have a number and wear the usual prison garb, usually

cast-off police uniforms. After several weeks spent in solitary confinement, the prisoner is at last allowed to participate in the regular prison routine. He must learn to salute all wardens by taking off his cap and standing at attention.

The prisoner is now allowed to correspond with his relatives and receive one letter a month. Until 1955 each prisoner was allowed to receive one food parcel every three months, but this has now been forbidden.

All the prisoners have to work and a number of them are used on building and construction projects outside the prisons. For instance, 4,000 were used to work on the jet plane runways and submarine pens that were recently constructed on the island of Ruegen. Prisoners serving life sentences are rarely let out of their cells.

Those who do the heaviest work get a little more food than the others, but the usual ration is as follows: 1,380 grams of fat, 1,550 of sugar and 2,000 of meat a month. Each day the prisoner gets 30 grams of jam and fat, 35 grams of sugar and 600 grams of bread. In addition there is a distribution twice weekly of 80 grams of sausage. The warm midday meal consists of one liter of a soup-like stew. Boiled potatoes are served only on Sunday. The heavy worker gets a 50 gram distribution of fat every two days, plus a slice of sausage and 20 grams of sugar. The prisoner who is confined to his cell for some misdemeanor gets only coffee, dry bread and soup every fourth day.

#### Number of Prisoners

At present there is no exact estimate of the number of political prisoners in the East Zone, although it is known that in 1953 there were more than 25,000. People are being arrested and some freed every day so that it is impossible to keep a check. Nevertheless, there are several thousands rotting away behind the walls and barbed wire of some 60 prisons and work camps in the East German Republic.